

why there's no precedent for the Federal Government producing or approving a product that requires every American to buy it. And as Mrs. BACHMANN said so clearly, put the IRS in charge of doing the enforcement, and the IRS in charge of doing the collection, the IRS in charge of collecting the insurance premiums for the insurance companies and transferring that into the insurance companies—that's what will be going on with the Federal Government.

So it's unconstitutional on two other grounds I can think of. And one of them would be a violation of the equal protection clause. The equal protection clause means that because we have people in different States that would be affected differently by it, if you live in Nebraska, you've got a different benefit than if you live in Iowa or Minnesota or Texas. And because of the Cornhusker kickback—and yes, they say they're going to fix that. It's in the bill. If anybody votes for a rule that deems the bill passed, they voted for Cornhusker kickbacks, they voted for the Louisiana purchase, they voted for the Florida Gator aid bill that exempts the senior citizens in Florida from the cuts in Medicare Advantage that will be brought against the senior citizens in Iowa and in the other States.

And it sends money by backroom deals into clinics across this country at the insistence of BERNIE SANDERS, a self-evolved socialist from Vermont. Self-evolved. I didn't lay that label on him. He lays it on himself. So that's another place where it's unconstitutional, Mr. Speaker.

And another way is a violation of the commerce clause. There are people that don't do business with health insurance companies. The Federal Government does not have the authority under the commerce clause to impose a health insurance policy on somebody that's not engaged in interstate commerce. And that could be a person that's born, doesn't do health care, and dies within a State, that doesn't cross State lines. There's no way you can argue they were involved in interstate commerce. So this massive stretch, it is unconstitutional.

It does fund abortions, and it funds abortions in a number of ways. Congressman GOHMERT has laid that out pretty clearly. Even though the Speaker has publicly said it doesn't fund abortion, it does. And when you look at Congressman GOHMERT's argument and you track the legal language, you have to understand it starts out about \$700 million a year for that subject and grows to about \$1.5 billion a year. It's in the categories of the authorizations within the bill itself. And then it also funds abortions through the Federal health insurance exchange that just says that there has to be a policy offered that doesn't cover them that someone could buy.

A policy doesn't have to be something that meets their other needs. It would just be something to assuage the

conscience of a single taxpayer. The other part of this could be a whole series of health insurance policies that do fund abortions under the Senate language.

So when the President says he won't sign a bill that does fund abortion, that's just simply not true. And the liberals have been making the argument ever since 1973—ever since *Roe v. Wade* was decided by the Supreme Court and *Doe v. Bolton*, both on abortion issues—they have argued that the Federal Government has no business telling a woman what she can or can't do with her body, two generations of arguments saying that over and over again. The Federal Government has no business telling a woman what she can or can't do with her body. They argue about whose body it is, but that's been their argument, their statement since 1973.

And now the same people, this side of the aisle, the liberals, the progressives, the Democrats in Congress are now arguing that the Federal Government has every business to tell everybody in America what they can or can't do with their bodies. That undermines their argument that they call pro-choice or else their pro-choice argument undermines their argument that we ought to have nationalized socialized medicine. They can't have that one both ways, Mr. Speaker. They have got to settle on one side or the other. I think they're both untenable arguments myself.

Then the bill also funds illegals, and the President has said that he won't sign a bill that funds illegals. And the Speaker has said it doesn't fund illegals. I will tell you that I have been through this policy for 7-plus years. I know this policy. Two and a half years ago under the rewrite of SCHIP, the children's health insurance legislation, they changed the language for proof of citizenship to qualify for Medicaid. Prior to that, it required that an applicant would produce a birth certificate and a couple of supporting documents to show that they were an American citizen or their naturalization papers and supporting documents.

They lowered the standard to only require that an individual simply attest to a nine-digit Social Security number. Just attesting to a nine-digit Social Security number means that you don't have to speak English, you don't have to have anything except be able to write down nine numbers. Nobody checks it; they just qualify for the benefit. That's the case with Medicaid, and the Congressional Budget Office put out those numbers on those additional costs there. And here the Congressional Budget Office has now, through their calculations, shown that under the Senate version of the bill—the reason is because they lower the standard of proof. Even though it says, We're not going to fund illegals in the bill, they lower the standards of proof. CBO's numbers then—their calculations produce this number—6.1 illegals

could qualify for taxpayer-funded health insurance benefits under the Senate version of the bill.

So we have a bill that's designed to expand the dependency class in America in order to expand the political class on the left side of the aisle that funds abortions against the will of the American people and violates any principle we have here that American people of principles should not be compelled to fund abortions. And it also funds illegals.

While expanding the dependency class, we have 38 States that have initiated legislation that has already been signed into law in Idaho by Governor Butch Otter, compelling his State attorney general to file a lawsuit in Federal court because of the unconstitutionality of this bill. They're already set up. The idea of facing almost 17,000 IRS agents to eat out our substance, to sit in our kitchens and go into our offices and look through our books and look through our health insurance policies to determine and verify if it's the proper policy, that's approved by Uncle Sam.

Mr. Speaker, we need to kill this bill this weekend and have this rally at noon tomorrow. We'll have it on the west side of the Capitol.

I yield back.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I thank my three colleagues who were here for the last hour doing yeoman's work on explaining why this so-called health care reform bill is bad, why it's unconstitutional, why it does not deserve to be passed. I want to especially thank my colleague from Texas (Mr. GOHMERT) for reminding us of the words in the Declaration of Independence and John Adams' letter to Abigail Adams.

What we're doing here is really pitiful compared to what the Founders did and all those who have sacrificed to keep this country free. This country is really a miracle. Never before in the history of the world were there people who believed that they had the right to life, liberty and the pursuit of happiness. We were a totally revolutionary people. It was a totally radical idea, and it is our job now to keep that miracle going. The founding of this country was truly a miracle and I think ordained by God.

From the beginning of this country, it has been average people who have kept us free: those who fought in the Revolutionary War, those who have fought in every war since, those who gave their lives and who gave their time, who were wounded, who came back wounded and maimed from those wars in other countries because they know that the price of freedom is dear. The price of freedom for us is not threatening our lives currently, but it

could in the future. It could threaten the lives of other people, and that's why we have to continue to resist the passage of this horrible bill.

As Leader BOEHNER has said, Republicans can't defeat this bill alone, but the American people can. So we need you tonight to continue to call your Member of Congress and to say, We do not want you to vote for this bill. We want you to live up to your oath to the Constitution and be reminded that the 10th Amendment says, The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.

We also want you to ask Congresswoman SLAUGHTER, Why did you say in an op-ed on CNN on December 23 that the Senate bill was not worthy of our support, and yet you find the sleight of hand to do everything you can to get the bill passed?

And, Mr. Speaker, I would like to insert into the RECORD the op-ed written by my colleague Ms. SLAUGHTER.

[From CNN, Dec. 23, 2009]

A DEMOCRAT'S VIEW FROM THE HOUSE:
SENATE BILL ISN'T HEALTH REFORM
(By Louise M. Slaughter)

Story Highlights: Senate bill isn't worthy of being called health reform, says Rep. Louise Slaughter (D-New York); Slaughter, who heads Rules Committee, says lack of public option is a fatal flaw; She says Senate bill would not stir competition among big insurance firms; Slaughter: Senate needs to go back and start over on health care.

Editor's note: Rep. Louise M. Slaughter, a Democrat, represents the 28th Congressional District of New York. Slaughter is the first woman to chair the House Rules Committee and the only microbiologist in Congress.

WASHINGTON (CNN).—The Senate health care bill is not worthy of the historic vote that the House took a month ago.

Even though the House version is far from perfect, it at least represents a step toward our goal of giving 36 million Americans decent health coverage.

But under the Senate plan, millions of Americans will be forced into private insurance company plans, which will be subsidized by taxpayers. That alternative will do almost nothing to reform health care but will be a windfall for insurance companies. Is it any surprise that stock prices for some of those insurers are up recently?

I do not want to subsidize the private insurance market; the whole point of creating a government option is to bring prices down. Insisting on a government mandate to have insurance without a better alternative to the status quo is not true reform.

By eliminating the public option, the government program that could spark competition within the health insurance industry, the Senate has ended up with a bill that isn't worthy of its support.

The public option is the part of our reform effort that will lower costs, improve the delivery of health care services and force insurance companies to offer rates and services that are reasonable.

Although the art of legislating involves compromise, I believe the Senate went off the rails when it agreed with the Obama Administration to water down the reform bill and no longer include the public option.

But that's not the only thing wrong with the Senate's version of the health care bill.

Under that plan, insurance companies can punish older people, charging them much higher rates than the House bill would allow.

In the House, we fought hard to repeal McCarran-Ferguson, the antitrust exemption that insurance companies have enjoyed for years. We did that because we believed firmly that those Fortune 500 corporations should not enjoy special treatment.

Yet the Senate bill does not include that provision—despite assurances from some members that they will seek to add it. By ending that protection, we will be able to go after insurance companies with federal penalties for misleading advertising or dishonest business practices.

The House bill would cover 96 percent of legal residents, while the Senate covers 94 percent. Compared with the House bill, the Senate's bill makes it much easier for employers to avoid the responsibility of providing insurance for their workers.

And of course, the Senate bill did not remove the onerous choice language intended to appeal to anti-abortion forces.

Now don't get me wrong; the current House and Senate bills are a significant improvement over the status quo. Given the hard path to reform and the political realities of next year, there is a sizable group within Congress that wants to simply cut any deal that works and call it a success. Many previous efforts have failed, and the path to reform is littered with unsuccessful efforts championed by Franklin Delano Roosevelt, Harry Truman and Bill Clinton.

Supporters of the weak Senate bill say "just pass it—any bill is better than no bill."

I strongly disagree—a conference report is unlikely to sufficiently bridge the gap between these two very different bills.

It's time that we draw the line on this weak bill and ask the Senate to go back to the drawing board. The American people deserve at least that.

We've had so many things said about this bill that have been misrepresented. We're told that we're the ones who misrepresent. But I want to say that President Obama has said over and over again, If you like your plan, you won't have to give it up. You can still keep it. But at our Republican retreat, President Obama was quoted as saying, "For example, we said from the start that it was going to be important for us to be consistent in saying to people if you have your—if you want to keep the health insurance you got, you can keep it, that you're not going to have to have anybody getting in between you and your doctor in your decision-making. And I think that some of the provisions that got snuck in might have violated that pledge."

The President admitted that what he had said and what he continues to say is not accurate because the bill that they proposed that we vote on is the very bill that has those things in it. It's the very bill that Ms. SLAUGHTER has said is not worthy of the American people.

Well, we need you to continue to tell the President, Ms. SLAUGHTER, and all the Democrats who have said they're going to vote for this bill that they are right, this bill is not worthy of the American people. It's not worthy of the sacrifices that have been made to keep us free because this is a government takeover of our lives. We will be giving up our freedom if this bill is passed. The government will take over not only our health care but ultimately

our lives. That is unworthy of the people who started this country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 26.

Mr. JONES, for 5 minutes, March 26.

Mr. POSEY, for 5 minutes, March 20.

Mr. BARRETT of South Carolina, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today and March 22.

Ms. FALLIN, for 5 minutes, today and March 20.

Mr. BOUSTANY, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, March 22, 23, 24, 25, and 26.

Mr. ROGERS of Michigan, for 5 minutes, today and March 20.

Mr. BONNER, for 5 minutes, March 20.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con Res. 54. Concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba; to the Committee on Foreign Affairs.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1147. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

ADJOURNMENT

Ms. FOX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Saturday, March 20, 2010, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from